

**To:** R3 EVERYEPA[R3\_EVERYEPA@epa.gov]  
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**Subject:** EPA Mid-Atlantic Region Headlines - Thursday - July 23,2015

# EPA Mid-Atlantic Region Headlines

**Thursday, July 23,2015**

## \*\*\* DAILY HOT LIST \*\*\*

### **Feds anticipate Southern will plead guilty over MCHM leak**

#### **CHARLESTON GAZETTE-MAIL**

Federal prosecutors on Wednesday asked a judge to schedule a hearing so that former Freedom Industries President Gary Southern can plead guilty to charges stemming from the January 2014 chemical leak. Assistant U.S. Attorney Phil Wright filed [a one-paragraph motion](#) asking U.S. District Judge Thomas Johnston to set “a date, time, and location for a guilty plea hearing to be held with regard to defendant Gary Southern.”

Southern [faces charges](#) that he negligently operated Freedom’s Etowah Terminal, on the Elk River in Charleston, causing the Crude MCHM leak that contaminated drinking water for hundreds of thousands of residents in the Kanawha Valley and surrounding communities. He also faces charges that he tried to hide his personal fortune from Freedom’s bankruptcy case and from civil lawsuits filed over the leak.

U.S. Attorney Booth Goodwin would not comment specifically on the Southern case beyond what his office said in its court filing.

Goodwin said, though, that his office files motions to schedule guilty pleas when “defendants have agreed to plead guilty to a federal charge or charges.”

In all, Southern [faces 15 criminal charges](#) that carry a maximum statutory penalty of 93 years in prison if convicted on all counts and before federal sentencing guidelines are applied to the case.

### **Editorial: Ominous findings about climate change**

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Last year was the hottest ever recorded for Planet Earth. So far, this year is considerably hotter. Ominous predictions of global warming — caused by greenhouse gases from fossil fuels — seem to be coming true. Hotter air holds more moisture, causing worse hurricanes, twisters, thunderstorms, floods and erosion of cropland. At the same time, more heat means more ruinous

droughts, wildfires, glacier melting, sea level rise, tropical diseases and parasites, etc. All these heat-driven evils inflict billion-dollar damage on America — and scientists say things soon will get worse.

Dr. James Hansen, NASA's former top climate expert, joined 16 other leading scientists in posting a drastic new research report on an open online science site this week. It predicts calamity, saying glaciers are melting 10 times faster than previously thought, which will lift sea levels by at least 10 feet in the next half-century.

A 10-foot sea rise would destroy New York, Miami and hundreds of other shoreline cities, triggering enormous losses and social upheaval.

The Hansen report says: "We conclude that continued high emissions will make a multi-meter sea level rise practically unavoidable and likely to occur this century. Social disruption and economic consequences of such large sea level rise could be devastating. It is not difficult to imagine that conflicts arising from forced migrations and economic collapse might make the planet ungovernable, threatening the fabric of civilization."

The report adds: "There is no morally defensible excuse to delay phase-out of fossil fuel emissions as rapidly as possible."

This jolting study caused CBS News to predict, "All Coastal Cities Become Dysfunctional" — and the Alpr science site to warn, "NYC could be underwater by 2065" — and The Philadelphia Inquirer to say, "It's the end of the world as we know it, and no one cares."

We assume that West Virginia's coal industry and other conservative voices quickly will denounce the new scientific report. But the study has great significance for the world, including the Mountain State, and should be pondered intelligently and objectively.

### *Chesapeake Bay regional leaders to meet Thursday*

#### ASSOCIATED PRESS

RICHMOND, Va. (AP) - The Chesapeake Bay Executive Council is convening in Washington, D.C., with [Virginia](#) Gov. Terry McAuliffe chairing the annual session. Ahead of Thursday's meeting, the [Chesapeake Bay](#) Foundation is appealing to the regional leaders to get the bay's restoration back on track.

### *Officials to discuss plans to clean up Chesapeake Bay*

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WASHINGTON (AP) - Regional leaders and [federal officials](#) are getting together to talk about cleaning up the Chesapeake Bay. Thursday's annual meeting of the Chesapeake Executive Council will include an announcement of how officials plan to meet the [goals](#) of a federal-led bay cleanup agreement that was signed last year.

### *Ospreys may follow eagles in being declared recovered in Pennsylvania*

#### LANCASTER ON LINE

Bald eagles were taken off Pennsylvania's threatened list in 2014. Now, ospreys, another iconic bird of prey that has similarly enjoyed a successful reintroduction, may soon follow suit. And, like eagles, Lancaster County has played a large part in the osprey's restoration. The

Susquehanna River where it flows through the county is one of five distinctive clusters of osprey nests in the state. The Pennsylvania Game Commission has released a draft of "Recovery and Management of the Osprey in Pennsylvania," a new 10-year plan for ospreys. It documents the exciting and hugely successful efforts to re-establish the large raptors in the state.

So successful has been the project that the Game Commission proposes to reclassify the osprey as either secure or recovered in Pennsylvania. That would happen when at least 50 nesting pairs of ospreys are documented with at least 10 pairs in at least four different watershed clusters for two consecutive surveys. That shouldn't be hard since there are an estimated 150 active nests currently in the state.

The current clusters are the lower Susquehanna, mainly in Lancaster and York counties, upper Susquehanna, the upper and lower Delaware and the upper Ohio River-Beaver River drainages. The osprey, larger than a red-tailed hawk but smaller than eagles, was declared extirpated, or no longer existing, in Pennsylvania in 1982. However, even before the population collapse due to DDT exposure, ospreys were never abundant in Pennsylvania. They were shot, their eggs collected, habitat degraded, poisoned and nests disturbed. They are doing so well now, the document notes, because of their affinity for such relatively new manmade structures as reservoirs, where they can easily find fish.

## House approves bill to tweak coal ash standards

### WSOCTV - CHARLOTTE

WASHINGTON (AP) — Defying a White House veto threat, the Republican-controlled House on Wednesday approved a bill granting states authority to regulate waste generated from coal burned for electricity. The bill, approved 258-166, would largely bypass a federal rule issued last year by the Environmental Protection Agency. The rule set the first national standards for so-called coal ash, treating it more like household garbage than a hazardous material.

The bill's sponsor, Rep. David McKinley, R-W.Va., said it was needed because the EPA rule leaves open the possibility that coal ash could be designated as hazardous, creating uncertainty for industry. The White House said in its veto threat that the House bill would undermine public health and environmental protections provided by the EPA rule. The 2008 failure of a coal ash containment site in Tennessee, and a massive spill last year in North Carolina serve as "stark reminders" of the need for safe disposal and management of coal ash, the White House said. The EPA rule "articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water and minimize the risk of catastrophic failure at coal ash surface impoundments," the White House said. The Associated Press contributed to this article.

## Alcosan bond issue expected to save \$27 million

### PITTSBURGH TRIBUNE-REVIEW

The Allegheny County Sanitary Authority expects to save about \$27 million through refinancing \$195 million in 10-year-old debt, the authority's spokeswoman said Wednesday. Jeanne Clark

said Alcosan hasn't determined how much it will cost to issue the bonds. The authority should know as it gets closer to selling the bonds, Clark said. Moody's Investors Service, which gave the bonds a stable A1 rating Tuesday, listed July 31 as the expected sale date. Clark said everything should be finalized by September. The authority's board approved in June issuing \$266 million in bonds. About \$195 million of it will go toward the 2005 debt. The remaining \$75 million will fund capital projects. Alcosan has not identified what projects the \$75 million will cover, but the authority expects to spend billions of dollars in the next decade to comply with a federal order to reduce sewage overflowing into rivers and streams during rainstorms.

"We know we're going to have an ambitious capital program moving forward," Clark said. Alcosan is negotiating with the Environmental Protection Agency on the cost and timeline of the plan, Clark said. The authority has submitted plans that could cost \$2 billion to \$3.6 billion.

The authority increased rates charged to customers 17 percent last year and 11 percent this year. It intends to impose 11 percent rate increases in each of the next two years to pay for the project. By 2017, the average Alcosan customer will pay \$417.51 a year, up from \$260.92 in 2013. The authority has about \$586 million in debt. It spends about \$51 million a year on debt service.

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## PENNSYLVANIA

### **PITTSBURGH POST-GAZETTE**

**MarkWest objects to conditions placed on its proposed natural gas compressor station in Cecil** After fighting in court for more than four years for its right to build a Marcellus Shale natural gas compressor station in Cecil, MarkWest Liberty Midstream & Resources found its way back to court again this week, appealing "arbitrary and capricious" conditions that it says were placed on its approval. Although Cecil zoning board members last month unanimously approved the construction of a new compressor station at the corner of routes 980 and 50, the company took issue with 26 conditions placed on the project by the board. They included 24 conditions that were discussed between the parties — governing issues like noise, water quality and safety procedures — and two new ones requested by the dozens of residents who spoke out against the project at public hearings.

Those final conditions required the company to use electric, not gas, powered engines, capped the number of engines the company could use, and called for third-party testing of air quality at the site before and after operations began. The project was approved June 15, after the township in November 2010 denied the company's application. The issue wended its way through the courts until April, when the township exhausted all of its appeals and was ordered to approve the project. "Although Commonwealth Court reversed the board's denial of MarkWest's application, and ordered the board to grant a special exception, the board continues to take action to block MarkWest's proposed facility — all at taxpayer's expense," the filing said.

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This day in history follows familiar path to Mon Valley newsmakers Responding to another flurry of requests from readers (14, this time), let's take a look at headlines from Yesteryear via the archives of area newspapers. 50 YEARS AGO Friday, July 23, 1965 The Redevelopment Authority of Washington County opened a Site Relocation office on Third Street in California. The office will focus on present and future development in the community. Among those taking part in the grand opening were Raymond Pecuch, secretary of the California Planning Commission; Roland H. Bourke Jr., executive director of the Redevelopment uthority, Attorney Melvin B. Bassi, Authority chairman; Dr. Michael Duda, president of California State College, and Robert Conway, relocation director.

The three-story building at Fifth Street and McKean Avenue in Charleroi, recently vacated by MISCO, has been purchased by Mon Valley businessman Charles L. Melenyzer. Formerly known as the Collins Building, it was owned by Lester Collins of Philadelphia and other members of the Collins family.

### **NEWSWORKS**

#### **Mercer County Revokes PennEast's Permission to Survey Land in Local Park**

Citing potential environmental damage, county joins growing list of landowners that won't facilitate surveys for controversial pipeline. Mercer County is joining the list of landowners trying to block PennEast Pipeline LLC from surveying property -- part of a county park -- in order to build a highly contentious natural gas pipeline.

The county, which has opposed the project since last year, told PennEast yesterday that the company would no longer have access to the park in Titusville for the purpose of surveying the property to facilitate the project. The county cited soil borings on Baldpate Mountain, which it has deemed as potentially environmentally harmful.

The notification follows an announcement by the state Department of Environmental Protection earlier this month, advising the company not to apply for permits needed for the project, since private landowners refused to give it access to survey their properties.

Thirty-two miles of the \$1 billion proposed pipeline would run through four communities in Hunterdon County, before ending in Hopewell in Mercer County. The rest of the 110-mile pipeline crosses land in Pennsylvania.

### 'Clean energy' hub proposal a dirty deal for Pennsylvania environment and economy

(Commentary/opinion) For the last several years, the oil and gas industry has been lobbying Pennsylvania legislators to expand the production and use of natural gas from the Marcellus Shale. Until recently, their efforts to include Philadelphia in these plans have been unsuccessful. However, in December, the Greater Philadelphia Chamber of Commerce and Philadelphia Energy Solutions began gathering support when they pitched the idea of turning Philadelphia into a natural gas “energy hub.” Since then, the man at the center of the plan, Philadelphia Energy Solutions CEO Phil Rinaldi, has carefully cultivated relationships with important political figures, and also created an “energy action team” to help advocate for this proposition. The “energy hub” vision appears to be gaining traction among the political elite, including former mayoral candidates such as past Philadelphia District Attorney Lynne Abraham and state Sen. Anthony Hardy Williams, whose wife who works for the state’s industry lobbying group, the Marcellus Shale Coalition.

Notably, the senator received considerable financial contributions during his mayoral campaign from the oil and gas industry and their super PACs. So did many other candidates who came out in favor of the proposal before the May primary election. Even Jim Kenney, who won the Democratic primary race and who has a reputation for supporting environmental protection in Philadelphia, has expressed approval of the idea. In spite of these endorsements, the natural gas energy hub proposal remains extremely controversial. Proponents say it would boost the city's regional economy by creating jobs, and facilitate Philadelphia’s transition to "cleaner" energy. On the other side, environmental groups and activists emphasize the plan’s adverse ecological and economic effects, as well as the feasibility of alternative, sustainable energy sources.

### **LANCASTER NEWSPAPERS**

Ospreys may follow eagles in being declared recovered in Pennsylvania

Bald eagles were taken off Pennsylvania’s threatened list in 2014. Now, ospreys, another iconic bird of prey that has similarly enjoyed a successful reintroduction, may soon follow suit. And, like eagles, Lancaster County has played a large part in the osprey’s restoration. The Susquehanna River where it flows through the county is one of five distinctive clusters of osprey nests in the state. The Pennsylvania Game Commission has released a draft of “Recovery and Management of the Osprey in Pennsylvania,” a new 10-year plan for ospreys.

It documents the exciting and hugely successful efforts to re-establish the large raptors in the state. So successful has been the project that the Game Commission proposes to reclassify the osprey as either secure or recovered in Pennsylvania. That would happen when at least 50 nesting pairs of ospreys are documented with at least 10 pairs in at least four different watershed clusters for two consecutive surveys. That shouldn’t be hard since there are an estimated 150 active nests currently in the state. The current clusters are the lower Susquehanna, mainly in Lancaster and York counties, upper Susquehanna, the upper and lower Delaware and the upper Ohio River-Beaver River drainages.

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## WASHINGTON, D.C.

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# DELAWARE

## **WILMINGTON NEWS JOURNAL**

**Cool the anti-air conditioning snobbery** (OPINION) Any American who has spent much time around visiting Europeans has probably had some version of this conversation: "Why do you use so much air conditioning?" they ask. "Your buildings are ridiculously cold. I have to wear a sweater inside in the summer! And it's bad for the environment. You shouldn't do that." Well, if you haven't had the pleasure, the Washington Post has brought that argument home. "The weather in Washington, D.C., and Berlin, Germany, has been pretty similar recently," a correspondent in Europe writes. "There is one striking difference between the two capitals, though: Whereas many Americans would probably never consider living or working in buildings without air conditioning, many Germans think that life without climate control is far superior."

Oh, yes, I know. I've worked with Germans, Brits, Swedes, Dutch and French. All professed themselves absolutely baffled by our insistence on wasting so much energy cooling our offices and homes, when we could just build buildings that cool themselves naturally if we open the windows occasionally. For Europeans reading this, I may actually be able to clear up this baffling issue: Americans use air conditioning more because America is a lot hotter than Europe. For example, in Washington, where the weather is apparently "pretty similar" to Berlin, it is expected to be 87 degrees Fahrenheit (31 Celsius) tomorrow. In Berlin, Weather.com informs me that temperatures are expected to be a torrid, sultry 75 Fahrenheit (23 Celsius).

Of course, on any two random days, the weather might be unseasonably cold or unseasonably hot. You really need to look at monthly averages. Lo and behold, when we look, we discover that Washington has an average temperature of 88 degrees in July, while Berlin has an average temperature of 73 (yes, that is indeed 31 and 23 Celsius). *Megan McArdle is a Bloomberg View columnist who writes on economics, business and public policy.*

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# WEST VIRGINIA

## CHARLESTON GAZETTE-MAIL

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U.S. Attorney Booth Goodwin would not comment specifically on the Southern case beyond what his office said in its court filing. Goodwin said, though, that his office files motions to schedule guilty pleas when “defendants have agreed to plead guilty to a federal charge or charges.”

In all, Southern faces 15 criminal charges that carry a maximum statutory penalty of 93 years in prison if convicted on all counts and before federal sentencing guidelines are applied to the case. Wright’s motion did not indicate which charges would be the subject of the guilty plea hearing. Goodwin would say only that, if a motion for a guilty plea hearing is not accompanied by a new charging document, that “would tend to indicate that a defendant has agreed to plead guilty to a charge or charges in the most current indictment.” Bob Allen, a defense lawyer for Southern, could not be reached for comment Wednesday evening.

Editorial: Ominous findings about climate change Last year was the hottest ever recorded for Planet Earth. So far, this year is considerably hotter. Ominous predictions of global warming — caused by greenhouse gases from fossil fuels — seem to be coming true. Hotter air holds more moisture, causing worse hurricanes, twisters, thunderstorms, floods and erosion of cropland. At the same time, more heat means more ruinous droughts, wildfires, glacier melting, sea level rise, tropical diseases and parasites, etc. All these heat-driven evils inflict billion-dollar damage on America — and scientists say things soon will get worse.

Dr. James Hansen, NASA’s former top climate expert, joined 16 other leading scientists in posting a drastic new research report on an open online science site this week. It predicts calamity, saying glaciers are melting 10 times faster than previously thought, which will lift sea levels by at least 10 feet in the next half-century.

A 10-foot sea rise would destroy New York, Miami and hundreds of other shoreline cities, triggering enormous losses and social upheaval.

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level rise practically unavoidable and likely to occur this century. Social disruption and economic consequences of such large sea level rise could be devastating. It is not difficult to imagine that conflicts arising from forced migrations and economic collapse might make the planet ungovernable, threatening the fabric of civilization.”

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## MARYLAND

### **BALTIMORE SUN**

#### Farm fencing to help the bay falling short, advocates say (blog)

When the Black Angus cows at Hunting Lotte farm want to cool off on hot summer days, they huddle in the shade of a big tree — not the refreshing waters of the stream that flows through the pasture. That's because years ago, the farm's owner fenced it off to keep his animals from eroding its banks and relieving themselves in the water in the process. "We no longer have mud coming down the stream," said Carl Miller. He said he has also fenced off streams on two other farms he owns. It's a growing conservation practice, and one officials say can contribute significantly to restoring the Chesapeake Bay. But it's far from universal; there are still plenty of farm animals muddying the water and polluting it. Indeed, just over the hill, cows can be seen drinking from and wading in Linganore Creek. Farmer Samuel Tressler III said he's put up some fencing to limit erosion in "high-traffic areas." But he said he wouldn't be able to graze his dairy herd anymore if he had to fence off his entire main pasture from the creek.

The Chesapeake Bay Commission says Maryland, Pennsylvania and Virginia should be doing more to get farmers to keep their animals away from waterways that flow into the troubled estuary. The issue — and what to do about it — is expected to come up Thursday when state and federal officials meet in Washington for an annual update on how the long-running bay restoration effort is going.

#### Aberdeen seeks more grant funds for redevelopment around MARC station

Aberdeen city officials are applying for another state grant to buy more private properties in the downtown area, as they pursue a long-term vision of transit-oriented development around the MARC/Amtrak train station and Festival Park.

In recent years, the city has been buying various properties within a quarter-mile to a half-mile around the train station, a Transit-Oriented Development District, also known as Station Square, which city officials hope will eventually become a focal point for residents and visitors alike. Mayor Mike Bennett and the City Council gave their support Monday to an application for a \$287,000 grant from the Strategic Demolition and Smart Growth Impact Fund through the Maryland Department of Housing and Community Development, according to Phyllis Grover, the city's director of planning and community development. The city has sought similar grants the past several years.

"We've had success in receiving a lot of money for this program," Grover said. To this point, she said, a specific property has not been identified to be acquired with funds from the latest grant being sought.

## **BALTIMORE INSIDER**

**State pride takes to Twitter with #GrowingUpInMaryland (BLOG)**

## **ANNAPOLIS CAPITAL GAZETTE**

Severn river oysters doing well, UMD scientist says The keywords heard in Tuesday's Severn River Association meeting don't sound exciting. Oyster density. Dermo. Pelagic. Benthic. But the gathering at Union Jack's in Annapolis was anything but boring to the association members who listened to Dr. Kennedy Paynter's lecture on oyster restoration. Brandishing a pool cue as a pointer, Paynter answered questions and doled out knowledge. The University of Maryland scientist runs The Paynter Lab, which focuses on the biology, ecology and restoration of the eastern oyster. "Am I boring anybody?" he asked. "No!" the crowd chanted. Association members were anxious to learn how the oysters in the Severn were doing. The group has spent six years growing and restoring oysters in the river as part of the Marylanders Grow Oysters program. The result? "They are doing great," Paynter said. The scientist said the oysters in the Severn, measured at four different sites over two years — although not sites that the association replants oysters into directly — were maintaining a population.

## **MY EASTERN SHORE**

Earth Data gets grant for ag stormwater project CHESTERTOWN — Earth Data Incorporated of Centreville was recently awarded a \$50,000 grant from the National Fish and Wildlife Foundation to develop a design guidance manual in support of an innovative agricultural conservation practice installed by Sam Owings of High Impact Environmental on his farm in northern Queen Anne's County. Owings' cascading system of floodway stormwater containment basins is a unique practice designed to reduce nutrient and sediment loading into the headwaters of Hambleton Creek, a tributary of the Chester River.

NFWF provided funding for the Technical Capacity Grant in partnership with the U.S. Environmental Protection Agency and the Chesapeake Bay Program Office. As a NFWF Technical Assistance Provider, Earth Data is qualified to receive funding to provide technical services on behalf of local governments, nonprofit organizations and conservation districts for projects that enhance local capacity to more efficiently and effectively restore the habitats and water quality of the Chesapeake Bay and its tributaries.

The design guidance manual will include parameters for siting and sizing of the practice, as well as identifying opportunities for marketing nutrient offsets and credits resulting from this practice. This project will also address general operation and maintenance requirements that involve periodic inspections and typical repairs of critical components. Key design elements of the linear step-pool system will include the ability to create a fore-bay to contain the suspended sediments for ease of maintenance; optimum length-to-width ratio considerations to maximize the flow path; use of gravel bars or baffles to extend the time of concentration; and a needs assessment for a bypass system or a floating weir to limit the influx from large storms which may cause re-suspension of suspended pollutants.

Workboat donated for Horn Point research CAMBRIDGE — An underwater robot used by the Horn Point Laboratory and a 28-foot deadrise workboat now have an unusual partnership. Rock Hall

residents Rick Lincicome and Cheryl Flota donated a custom-built workboat to be used by Horn Point scientists for research on the Chesapeake Bay. Lincicome and Flota probably never thought their workboat would be used for anything beyond pleasure boating on the Bay, but an enterprising scientist saw it as a platform for state-of-the-art marine science research. Nick Nidzieko, an oceanographer at Horn Point, had been looking for a deadrise-style boat for several years to transport the 12-foot autonomous underwater vehicle (AUV) that is the primary instrument of his research. This robot, with its payload of scientific instruments, is deployed on exploratory missions in the Bay to collect data related to specific research questions. Last fall, Nidzieko saw the “For Sale” ad for the boat, which bears the name of Cheryl Flota’s business, *Light’n Up*, and called Lincicome to ask if he would consider donating it to the lab. The answer was “yes” after the couple came to the lab for a tour.

#### **Education center construction to begin soon**

CHESTERTOWN — Three groups of people will benefit greatly from the Sultana Education Foundation’s new education center. Drew McMullen, president of the foundation, named students, teachers and the general public as the beneficiaries. During the groundbreaking ceremony, held July 18 in a tent at the future site of the center — 200 South Cross St. — McMullen explained how the groups will profit. He said the center will allow the foundation to double the number of students it serves. He said that does not mean they will work with twice as many students, but that the students they work with will return many times. “By the time they graduate from high school, they are going to be among the best-educated kids about the history and environment of the Chesapeake Bay, of anyone in the entire watershed,” McMullen said. The center will also allow the foundation to do additional teacher training. “Teaching teachers is just as important as teaching children. ... If we can make those teachers our partners in what we are trying to accomplish, our mission is much better served than if we were just doing it by ourselves,” McMullen said.

#### **CHESAPEAKE BAY NET**

**\$6 Million secured to improve boating access** From a new boat ramp in Somerset County to citywide harbor upgrades in Annapolis, 59 public water access projects in 19 Maryland counties will receive a total of \$6 million in state Waterway Improvement Fund grants for fiscal year 2016. This total, the largest amount Maryland has received since 2009, includes \$2.2 million for dredging projects in six counties to help keep waterways open for recreation and commerce. “What we’re hearing from county representatives and boating groups is an increased need for dredging, so that’s what we focused on,” said Mark O’Malley, director of DNR Boating Services. “These projects will expand Maryland’s waterways for both recreational and commercial boaters, as well as improve access facilities so that boaters can better enjoy these waters.” Passed by the Maryland General Assembly and signed by Governor Hogan, the projects include: dredging local navigation channels; developing and maintaining public boating access facilities; installing marine sewage pumpout stations; providing matching funds required to leverage federal grants related to boating projects; improving parking; and upgrading existing infrastructure such as bulkheads, piers, and boat ramps, as well as electrical and water supply lines.

For example, \$585,997 will fund the statewide dredging of designated public shallow water navigation channels, or publicly owned boating facilities that occur outside of the budget cycle

or exceed the appropriated funding amount. A \$155,000 project will restore boating access to Pocahontas Creek Headwaters. Projects were funded in Allegany, Anne Arundel, Baltimore, Calvert, Caroline, Cecil, Dorchester, Frederick, Garrett, Harford, Kent, Prince George's, Queen Anne's, Somerset, St. Mary's, Talbot, Washington, Wicomico and Worcester counties. The Waterway Improvement Fund was created in 1966 by the General Assembly to support the development, use and enjoyment of all State waters for the benefit of the general boating public. The fund is derived from the five-percent vessel excise tax paid when someone purchases and titles a boat in Maryland. Over the past four decades, it has paid for more than 4,500 grant projects valued at \$300 million that have been used for developing and maintaining more than 400 public boating access sites throughout the state.

As part of the new Chesapeake Bay Watershed Agreement's public access goal, Maryland and other bay states aim to add 300 new access sites across the watershed by 2025. Making sure citizens can access and enjoy the bay helps create an environmental stewardship ethic that will foster the long-term success of restoration efforts.

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## VIRGINIA

### **VIRGINIA CONNECTIONS NEWSPAPERS**

*Column: By Right Development: Does It Work for Chesapeake Bay? Time to reconsider public policy in the area of land use controls (opinion)*

**Part 2:** #Our system of federal, state and local governance all have roles in providing public services for the citizenry. An 1886 court ruling in Iowa created limited county governmental powers. Judge Dillon, a writer on the subject of local governmental operations, distrusted local government due to the power and corruption of political "machines." The relationship between local autonomy and state supremacy was more clearly defined by this ruling, which has become known as the Dillon Rule. His ruling gave local government only those powers that were specifically given to them by the state constitution or legislative statute. If there were any uncertainty of who had power or jurisdiction, it would be given to the state government and resolved in the judiciary. #Fairfax County operates under the urban county executive form of government and like other Virginia local governments, our county has limited powers. The Virginia Supreme Court and other Virginia courts apply the Dillon Rule to determine whether or not a local government has the legal authority to undertake a disputed action. Well-established county functions, like planning, zoning, and taxation have a number of statutes that give the county clear direction and authority to act, but in newer areas of concern governing land use such as storm water management and pollution controls in our local watersheds, the Dillon Rule is a constraint to innovative government responses concerning by right development not making public service improvements that can impact the Chesapeake Bay. Fairfax County has limited powers in areas and cannot take certain actions without appropriate action from the state.

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# MISCELLANEOUS

## **INSIDE EPA**

### Advocates Sue EPA To Force Development Of Chemical Tank Spill Rules

Citing the need to prevent accidents like a massive West Virginia chemical spill in 2014, environmentalists are suing EPA under the Clean Water Act (CWA) to force the agency to develop regulations to prevent and contain spills from above-ground tanks at industrial facilities, following failed congressional efforts to create such a regulatory program.

### Industry Urges EPA To Expand TSCA Work Plan Risk Analysis Program

Industry groups are applauding EPA's decision to release planning and scoping documents for its ongoing assessment of the health risks of exposure to 1,4-dioxane under the Toxic Substances Control Act (TSCA), but are urging the agency to make the work plan risk analyses more comprehensive and allow more opportunities for public comment. Advocates Press Climate Change

### Program To Strengthen Human Impact Report

Environmentalists and public health advocates are pressing EPA and other agencies with the U.S. Global Change Research Program (USGCRP) to strengthen its draft assessment of the risks that climate change presents to human health, arguing the document should quantitatively measure risks and provide policy recommendations rather than have its current format that is like a literature search.

### Facing Ban, Industry Faults EPA Review Of Pesticide's Drinking Water Risk

Industry officials are pushing back against EPA's plan to ban the commonly used pesticide chlorpyrifos to protect drinking water, reiterating in meetings with EPA arguments from recently submitted comments that a revised agency risk assessment overestimates exposures by relying on models and conservative assumptions rather than monitoring data.

### House Hearing Targets Social Cost Of Carbon Measure; EPA Weighs Toxicology Methods

The House Natural Resources Committee is scheduled to meet this week to discuss the White House's social cost of carbon (SCC), a figure for monetizing damages from climate change that could help make the push for EPA's pending greenhouse gas (GHG) standards for power plants and other GHG rules.

## **NEW**

## **EPA National Water Program Climate Adaptation Tools**

*A summary of tools developed by the EPA National Water Program for state, tribal, and local governments and*

*others to adapt their clean water and drinking water programs to a changing climate.* [Updated July 2015;  
<http://www.epa.gov/water/climatechange>]

## ***Climate Ready Estuaries***

**Being Prepared for Climate Change: A Workbook for Developing Risk-Based Adaptation Plans** The workbook provides guidance for conducting risk-based climate change vulnerability assessments and developing adaptation action plans. It is an ideal tool for organizations that manage places, watersheds or coastal environments.

**Available at:** <http://www2.epa.gov/cre/risk-based-adaptation>

### **Rolling Easements Primer**

This document is a primer on more than a dozen land use and legal tools for ensuring that intertidal habitats (wetlands, mudflats and beaches) can persist even as sea level rises.

**Available at:** <http://www2.epa.gov/cre/climate-ready-estuaries-rolling-easements-primer>

### **Synthesis of Adaptation Options for Coastal Areas**

This guide provides a brief introduction to key physical impacts of climate change on estuaries and a review of on-the-ground adaptation options available to coastal managers to reduce their systems' vulnerability to climate change impacts.

**Available at:** <http://www2.epa.gov/cre/synthesis-adaptation-options-coastal-areas>

## ***Climate Ready Water Utilities***

### **Climate Resilience and Awareness Tool (CREAT)**

CREAT is a software tool that assists drinking water and wastewater utility managers in understanding potential climate change threats, assessing the related risks at their individual utilities, and developing adaptation strategies

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/climate/creat.cfm>

### **Storm Surge Inundation Map and Hurricane Strike Frequency Map**

This an interactive map that illustrates the current worst-case storm surge and inundation scenarios on the American Gulf and Atlantic coasts, including Puerto Rico and the U.S. Virgin Islands.

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/climate/stormsurge.cfm>

### **Scenario-Based Projection Map**

This is an online map that provides easy access to localized scenarios of projected changes in annual precipitation,

precipitation intensity, annual average temperature, 100-year storm events, and sea-level rise.

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/climate/scenario.cfm>

### **Adaptation Strategies Guide**

This interactive guide helps drinking water and wastewater utility managers gain a better understanding of what climate-related impacts they may face in their region, and what adaptation strategies can be used to prepare their system for those impacts.

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/upload/epa817k15001.pdf>

### **Preparing for Extreme Weather Events: Workshop Planner for the Water Sector**

The Workshop Planner contains all of the materials needed to plan and conduct a customized workshop focused on planning for more frequent and intense extreme events.

**Available at:** <http://yosemite.epa.gov/ow/SReg.nsf/WorkshopRegistraton?OpenForm&Download=WORKSHOP>

## ***Emergency/Incident Planning, Response, and Recovery***

### **Flood Resilience Guide: A Basic Guide to Water and Wastewater Utilities**

Targeted to small and mid-size utilities, the Flood Resilience Guide outlines a simple, 4-step assessment process to help any water utility know their flooding threat and identify practical mitigation options to protect their critical assets.

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/emmerplan/upload/epa817b14006.pdf>

### **Water Utility Response *On-The-Go* mobile website**

The mobile website allows water and wastewater utility personnel to easily access critical emergency response information, facilitating water sector response from the field.

**Available at:** <http://watersgeo.epa.gov/responseotg/>

### **Water Sector Incident Action Checklists**

These checklists outline critical measures that drinking water and wastewater utility personnel can take immediately before, during, and after an emergency to protect their systems.

**Available at:** <http://water.epa.gov/infrastructure/watersecurity/emmerplan/index.cfm#pp29>

## ***Water Quality Tools***

## **National Stormwater Calculator Climate Assessment Tool (SW-CAT)**

The SW-CAT is a desktop application that estimates the annual amount of rainwater and frequency of runoff at a specific site. It informs site developers, landscapers and homeowners on how to meet a desired stormwater retention target with and without the use of green infrastructure. It estimates runoff at a site anywhere in the United States (including Puerto Rico) based on available information such as soil type, landscape and land-use information, and weather.

**Available at:** <http://www2.epa.gov/waterresearch/national-stormwater-calculator>

## **Storm Water Management Model Climate Adjustment Tool (SWMM-CAT)**

SWMM is widely used throughout the world as the "gold standard" in the design of urban wet-weather flow pollution abatement approaches. It is a dynamic hydrology-hydraulic water quality simulation model used for single event or long-term (continuous) simulation of runoff quantity and quality from primarily urban areas, and allows users to include any combination of low impact development (LID)/green infrastructure controls to determine their effectiveness in managing stormwater and sewer overflows. SWMM-CAT is a simple to use add-on that applies monthly climate adjustment factors onto historical precipitation and temperature data to consider potential impacts of future climate on stormwater.

**Available at:** <http://www2.epa.gov/water-research/storm-water-management-model-swmm>

## **BASINS 4 Climate Assessment Tool (BASINS-CAT)**

BASINS is a multi-purpose, environmental analysis system that integrates a geographical information system (GIS), national watershed data, and state-of-the-art watershed modeling tools, including the Hydrologic Simulation Program FORTRAN (HSPF) model, Soil and Water Assessment Tool (SWAT), and Stormwater Management Model (SWMM) into one package. BASINS-CAT is a plug-in available for use with the pre-existing, calibrated BASINS model that provides flexible capabilities for creating climate change scenarios, allowing users to quickly assess a wide range of what-if questions about how weather and climate could affect streamflow and water quality endpoints.

**Available at:** <http://water.epa.gov/scitech/datait/models/basins/download.cfm>

## ***Coming Soon:* HAWQS-Climate Initiative (HAWQS-CI)**

The Hydrologic and Water Quality System, or HAWQS is a national water quality modeling system that integrates the latest environmental data with state-of-the-art computer technology. It can model seven categories of pollutants, including nutrients and sediment. Input data is organized around the National Hydrography Dataset stream reaches and catchments and includes historical weather data from across the nation. When data on soils, crops, land use, and nutrients in a watershed are combined with the climate data, future impacts of climate change on water quality and quantity can be estimated.

[Updated July 2015; <http://www.epa.gov/water/climatechange>]

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